

Preparing a supplementary environmental report

Environmental impact assessment
guidance for proponents

This document has been developed as general guidance only. It is subject to, and does not substitute, replace or amend, the requirements of the Environment Protection Act 2019 and subordinate Regulations, which should be read in conjunction with this guidance. This guidance is made available by the NT EPA for information only. Before relying on this material, users should carefully evaluate the accuracy, currency, completeness and relevance of the information and obtain independent legal or other professional advice relevant to their circumstances.

Further information and guidance on the environmental impact assessment process is available on the NT EPA website at: www.ntepa.nt.gov.au

Comments on this guideline are welcomed and should be directed to the NT EPA through one of the following methods:

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Introduction

This guideline provides general guidance to proponents preparing a supplementary environmental report (SER) for environmental impact assessment by the Northern Territory Environment Protection Authority (NT EPA) in accordance with the *Environment Protection Act 2019* (EP Act)¹ and the *Environment Protection Regulations 2020* (EP Regulations)².

Where the NT EPA decides that environmental impact assessment is required for an accepted referral under regulation 57 or regulation 58, it may decide on one of four methods of environmental impact assessment, as listed in regulation 5:

1. assessment by referral information (not discussed in this guidance)³
2. **assessment by supplementary environmental report (SER) – this guidance**
3. assessment by environmental impact statement (EIS) (not discussed in this guidance)⁴
4. assessment by inquiry (not discussed in this guidance).

Where the environmental impact assessment method is assessment by supplementary environmental report (SER), the NT EPA may issue a direction to the proponent to prepare an SER (direction), to address submissions received in relation to the referral, and any additional information required by the NT EPA to complete the assessment process, in accordance with regulation 119.

The SER would be a publicly available document that informs the NT EPA, NT government authorities, stakeholders and the public about the potentially significant environmental impacts of the proposed action, and the measures proposed by the proponent to avoid, mitigate and/or offset those impacts. The SER is prepared by the proponent and provided to the NT EPA to meet the requirements of Part 5 Division 5 of the EP Regulations (Assessment by SER).

Purpose of the guidance

This document provides guidance to proponents, statutory decision makers and the community about the SER method of environmental impact assessment, including:

1. when an SER is required
2. the SER assessment process
3. the NT EPA expectations regarding the format and content of the SER
4. the submission of the SER to the NT EPA.

The aim of this guidance document is to promote consistency and quality in the preparation of an SER, to ensure proponents and their consultants include all relevant information required for the NT EPA to complete

¹ EP Act available at: [Link](#)

² EP Regulations available at: [Link](#)

³ Refer to NT EPA Environmental Assessment Guideline - Referring a proposed action to the NT EPA. Available at: [Link](#)

⁴ Refer to NT EPA Environmental Assessment Guideline - Preparing an environmental impact statement. Available at: [Link](#)

its assessment, and for the Minister to issue an environmental approval. A well written and structured SER will allow the reader to clearly understand the proposed action and its potential significant environmental impacts (direct, indirect and cumulative).

This guidance document is part of the series of guidelines targeted at communicating the various components and stages of the environmental impact assessment process to proponents. This document should be read in conjunction with other guidance documents that provide detail on the environmental impact assessment process, as shown in Figure 1.

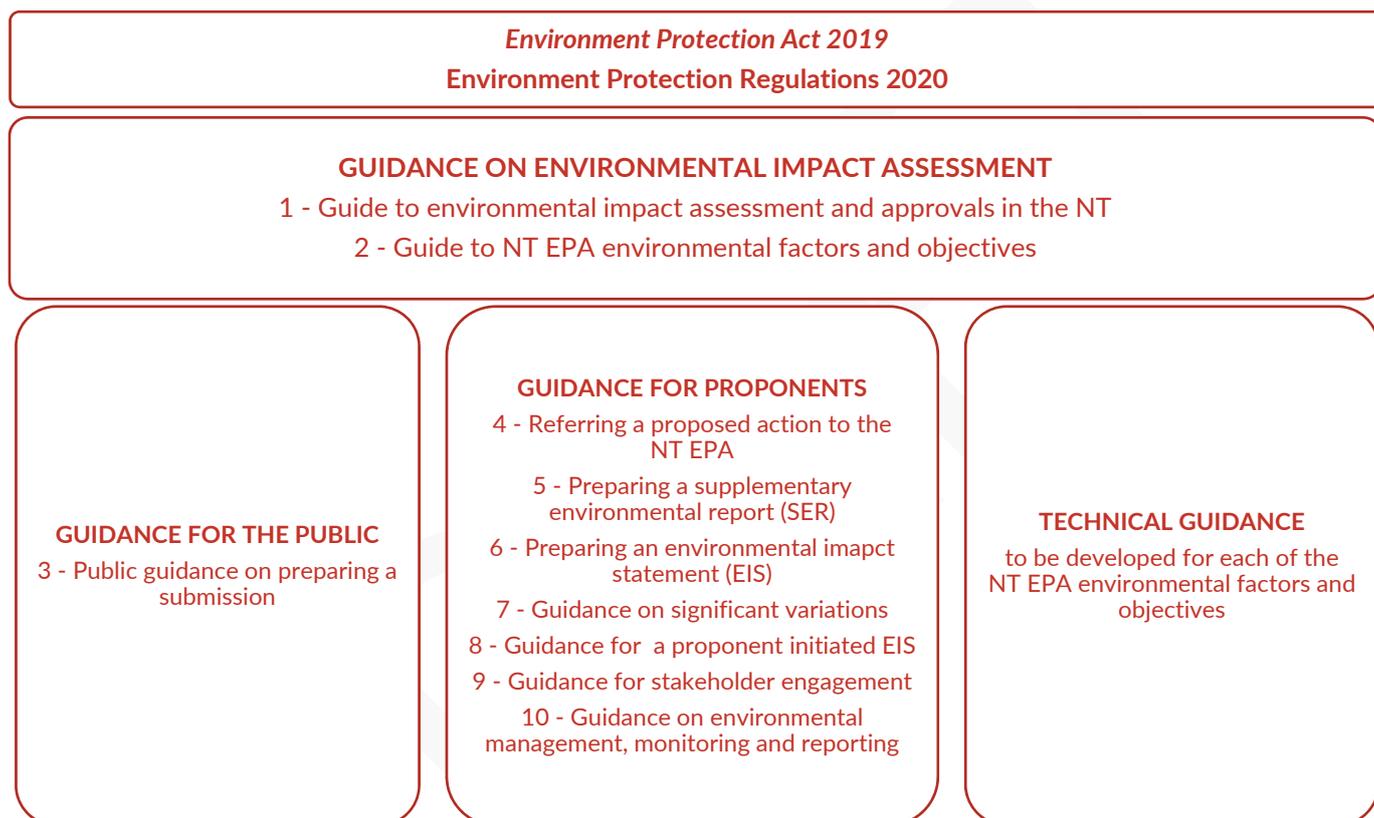


FIGURE 1 ENVIRONMENTAL IMPACT ASSESSMENT GUIDANCE

When an SER is required

An SER is required when the NT EPA has made a decision under either regulation 57 or regulation 58 that the method of environmental impact assessment for an accepted referral is an assessment by SER. The NT EPA's environmental impact assessment guideline - Referring a proposed action to the NT EPA provides guidance on the NT EPA's decision.

In accordance with regulation 119, the proponent must prepare an SER to address the submissions received in relation to the referral information. The NT EPA may direct the proponent to include additional information in the SER.

An SER is the second of four methods of assessment in the Northern Territory's environmental impact assessment system. The SER process of environmental impact assessment may be selected if the NT EPA is satisfied that the proposed action has the potential to have a significant impact on the environment, however the scale, extent or complexity of potential impacts are not so great that assessment by an EIS process is required.

When an SER is requested, the NT EPA considers that additional information in relation to the referral is necessary:

- to respond to submissions received in relation to the referral information, and/or
- to ensure that the NT EPA has adequate information to complete the environmental impact assessment process.

The matters to be addressed in the SER will be outlined with the NT EPA's direction to prepare an SER. Unlike an EIS process, an SER process does not include the development of terms of reference.

The SER should be prepared using this guidance document in addition to the matters attached to the direction. Relevant (refer to Figure 2) supporting information may be appended to the SER.

Potential significant environmental impacts identified in the direction should not be interpreted as excluding other matters of potential environmental significance that emerge during preparation of an SER, from environmental studies, submissions or other sources.

The process for assessment by SER

The process for assessment by SER (Part 5 Division 5 of the EP Regulations) is outlined in Figure 2 below.

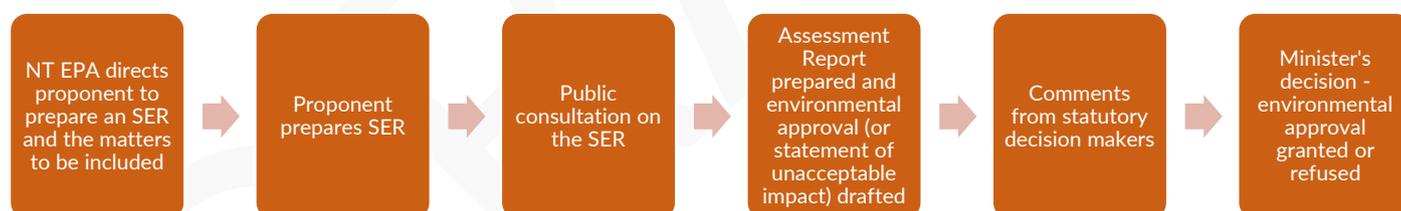


FIGURE 2: TIER 2 - ASSESSMENT BY SUPPLEMENTARY ENVIRONMENTAL REPORT

The NT EPA's decision on the SER method of environmental impact assessment and the direction to the proponent about the matters to be included in the SER are based on the information provided in the proponent's referral, and submissions received from the public consultation relating to the referral. The NT EPA will provide the direction to the proponent within 25 business days after the assessment decision is made. The direction may specify the period within which the SER is to be provided to the NT EPA.

The SER must address the submissions received in relation to the public consultation of the referral information and any other additional information as directed by the NT EPA. It is the responsibility of the proponent to ensure the SER addresses all the matters identified in the direction so that the NT EPA has adequate information to complete its assessment. The level of detail provided in the SER should be commensurate with the level of significance of that potential impact. Once the SER has been submitted to the NT EPA, it is to be published by the proponent in the manner determined by the NT EPA.

The NT EPA is to publish a notice of the SER on its webpage to state where the SER may be inspected and obtained, and invite interested persons to make a submission to the NT EPA on the SER within 25 business days after the notice is published (the submission period).

Government authorities specified by the NT EPA are to be provided with a copy of the SER by the proponent. The NT EPA will invite government authorities to make a submission to the NT EPA on the SER and will make reasonable efforts to obtain the views of those government authorities within the submission period.

If the NT EPA considers that additional information is necessary to facilitate its consideration of the SER, it may direct the proponent, within 20 business days after the submission period, to provide the additional information. Where the NT EPA directs the proponent to provide additional information in relation to the SER, the NT EPA must publish a notice of the direction. The NT EPA may invite interested persons or specified persons or government authorities to make submissions on additional information to an SER, within a specified period that does not exceed 15 business days.

The NT EPA must provide an assessment report (and a draft environmental approval or draft statement of unacceptable impact) to the Minister within 40 business days of the close of the submission period. If the NT EPA requests additional information in relation to the SER, the period for providing the assessment report ceases to run until either the additional information is received, or where the NT EPA invites submissions on the additional information to the SER, the close of that submission period.

Information to be provided in the SER

This section details the minimum information requirements for an SER.

Declaration

The SER must include a declaration signed by the proponent Chief Executive Officer (CEO) stating that:

- the SER has been prepared in accordance with the EP Act and EP Regulations
- the SER contains all information relevant to the environmental impact assessment of the proposed action
- the SER does not provide false or misleading information in accordance with section 260 of the EP Act
- the proponent is a fit and proper person to hold an environmental approval in accordance with section 62 of the EP Act
- the proponent has fulfilled its general duty in accordance with section 43 of the EP Act and details of how the general duties have been met - may reference a part of, or appendix to, the SER that provides the explicit details of how section 43(a) to (e) requirements have been met.

Executive summary

The executive summary must be a stand-alone document that includes a brief outline of the proposal and the SER, allowing the reader to obtain a clear understanding of the proposal, the potential significant environmental impacts and proposed measures to avoid, mitigate and/or offset those impacts. A summary of the benefits of the proposal, alternatives to the proposal, and outcomes of consultation should be provided.

Introduction

The introduction should include the following:

- proposal overview and objectives
- purpose and scope of the SER
- proposal history – including referral, decision and direction dates
- alternatives
- table cross referencing matters in the direction

Proposal description

Provide a clear description of the proposal and the full scope of works for which approval is sought. The Proposal description should include but not be limited to:

- a summary table listing the key components of the proposal
- a detailed description of the proposal including the site, surrounding context, staging, construction, operation, ancillary infrastructure and services, material usage, resource consumption, waste generation, workforce, demobilisation, rehabilitation, final land form and land use
- readable maps, figures, images, diagrams and flow charts
- any variations or modifications to the proposal since the referral information was submitted⁵
- where there is uncertainty in the detailed design, footprint, capacity or life of the proposal, the approach to resolving this should be clearly explained and the maximum extent for each parameter provided.

Strategic and statutory framework

This section should identify:

- any local, regional, Territory or Australian policies, plans, planning schemes or systems that demonstrate the need for the proposal in a strategic planning context
- details of how the proposal complies with the relevant policies and plans, demonstrating consideration of the overall impacts and benefits of the proposal
- the regulatory and approvals framework relevant to the proposal and consideration of how the proposal aligns with regulatory approval requirements, preferably in table format
- the key legislative requirements relating to Parts 4 and 5 of the EP Act; and Section 45 (Bilateral Agreement) or 87 (Accredited process) of the *Environment Protection and Biodiversity Conservation Act 1999* (where relevant).

Stakeholder engagement

Proponents are responsible for undertaking stakeholder engagement and consultation throughout the environmental impact assessment process. The proponent's stakeholder engagement and consultation must meet the requirements of section 43 of the EP Act and be consistent with the NT EPA Guidance for Proponents – Stakeholder Engagement⁶.

⁵ Under section 51 of the EP Act, a proponent must give the NT EPA notice of any proposed significant variation to the proposal. For further information refer to the NT EPA Environmental Assessment Guideline – Providing notice of a significant variation to the NT EPA. Available at: [Link](#)

⁶ NT EPA 2020 Guidance for Proponents – Stakeholder engagement: Guidance for proponents on best practice stakeholder engagement for environmental impact assessment). Available at: [Link](#)

The SER must provide details of any stakeholder engagement and consultation undertaken by the proponent to meet the requirements of section 43 of the EP Act.

Proponents should also outline what future engagement activities they intend to undertake throughout assessment and post-approval, including during construction and operation of the proposal.

Response to submissions

The SER must respond properly to public and government agency submissions received in relation to the referral information, as detailed in the direction. A meaningful and well-structured response to submissions received in relation to the referral information is an important part of the SER.

Proponents are expected to carefully consider the issues raised in submissions and where appropriate, adapt the proposal, the performance criteria or mitigation measures to address the issues raised.

The proponent's responses to the submissions are considered by the NT EPA during its assessment of the Proposal, and by the Minister (or delegate) when deciding whether to approve or refuse a proposal.

The SER should include the following information in response to submissions, where relevant:

- analysis and categorisation of the submissions received
- a summary table identifying the stakeholder, issues raised in submissions and a response to the submissions including actions taken to address those issues such as engagement and any further environmental assessment
- a description of any changes to the proposal as a result of submissions received, including updated plans, figures and images
- an updated evaluation of the potentially significant environmental impacts (including residual impacts) of the proposal.

Matters of National Environmental Significance

If the NT EPA is assessing the proposal under a Bilateral Agreement (or an accredited process), the Australian Government requires matters of national environmental significance (MNES) to be addressed. The following details should be included:

- A list of the controlled action provisions and the relevant policy and guidance for the MNES
- A summary of the existing environmental value(s) that relate to the MNES
- A summary of the potential impacts (direct, indirect and cumulative) on the MNES and relevant tables and maps
- A summary of the assessment on the relevant environmental factor/s to determine the level of significance of the impact on the MNES. Include how the mitigation hierarchy has been applied
- A summary of any proposed mitigation measures
- A summary of whether offsets are required in relation to the MNES, and if so, provide details of the proposed offset and how the offset addressed the Australian Government Environmental Offset Policy⁷.

⁷ 2012 DSEWPAC. EPBC Act environmental offsets policy. Available at:

<https://www.environment.gov.au/epbc/publications/epbc-act-environmental-offsets-policy>

Environmental impact assessment

In the environmental impact assessment part of the SER, proponents must describe how the matters identified in the direction have been assessed, and how any potential impacts have been avoided, mitigated or offset in accordance with the environmental decision-making hierarchy pursuant to section 26 of the EP Act. Proponents must also identify any residual impacts.

Where the direction requires further assessment of specific potentially significant environmental impacts to be addressed in the SER, the following information should be included:

- a description of how the SER meets the requirements of section 42(b) of the EP Act:
 - all actions that may have a significant impact on the environment are assessed, planned and carried out taking into account:
 - (i) the principles of ecologically sustainable development; and
 - (ii) the environmental decision-making hierarchy; and
 - (iii) the waste management hierarchy; and
 - (iv) ecosystem-based management; and
 - (v) the impacts of a changing climate.
- environmental factors and objectives – information included in the SER on potentially significant environmental impacts should be described under each relevant environmental factor.⁸

Key environmental factors

The NT EPA environmental factors and objectives that are relevant to the proposal should be listed in order of significance with the following heading structure and content for each factor.

1. Name of environmental factor – e.g. *Inland water environmental quality*
2. Objective for environmental factor – e.g. *Protect the quality of groundwater and surface water so that environmental values including ecological health, land uses and the welfare and amenity of people are maintained.*
3. Policy and guidance - list the relevant policy and guidance for issues under this factor, as relevant to the proposal.
4. Environmental values
 - Describe the existing environment and environmental values relevant to this factor that would potentially be impacted by implementation of the proposal and reference the sources of information used. The NT EPA recognises that a specific environmental value may be relevant to more than one factor.
 - Provide a summary of the surveys and studies undertaken for the proposal, including the dates and timing of surveys, referencing standards and guidelines used.
 - Maps should be included which show both the local and regional context of the proposal, an overlay of the proposal boundary and indicative disturbance footprint on a base layer showing the local and regional environmental values related to the factor.
5. Assessment of potentially significant environmental impacts
 - The SER must identify, describe and evaluate the significance of direct, indirect and cumulative potential impacts and risks to environmental values, under each of the relevant factors. Where

⁸ NT EPA 2020, Environmental impact assessment guidance – Environmental factors and objectives. Available at: [Link](#)

relevant, impacts of other proposals or activities to the environmental value should be evaluated. Benefits arising from the proposal should also be identified and quantified.

- The SER must evaluate whether an impact is likely to be a significant impact, as defined under section 11 of the EP Act. That is, an impact of major consequence having regard to the context and intensity of the impact, and the sensitivity, value and quality of the environment impacted on and the duration, magnitude and geographic extent of the impact
- Potential impacts and risks from all stages of the proposal should be defined, with consideration of the extent, magnitude and duration; the resilience of the environment to cope with impact or change; and any potential cumulative impacts. This section should also consider impacts associated with normal operations, abnormal operations, unplanned shutdowns of part or all of the plant or facility and emergency shutdowns of part or all of the plant or facility. Proponents should provide an indication of the number of hours each year that it is expected that the plant or facility would be in abnormal, unplanned shutdown or emergency shutdown conditions.
- Information provided should permit the general reader to understand the likelihood and severity of each potential environmental impact presented by the proposal. Consideration of risks presented by the proposal may be guided by undertaking a risk assessment consistent with AS/ISO 31000 risk management series.
- The SER should clearly justify the level of analysis and investigation of the potentially significant environmental impacts, commensurate with the severity of the impact. The analysis, including, where appropriate, development of likelihood and consequence ratings for inherent and residual risk assessments, is to be based on referenced and relevant actual data and modelled predictions as appropriate.

6. Avoidance, mitigation and offsets

- The SER must describe the avoidance, mitigation and offset measures that would be implemented to manage the potentially significant environmental impacts of the proposal and ensure the environmental objective is highly likely to be met.
- All measures should be specific, enforceable and unambiguous. Where formulating strategies for avoidance, mitigation or offsets, the proponent should also consider alternatives.
- Draft management plans may be appended to the SER where it is considered that management measures would need to be conditioned in an environmental approval for the proposal, or if specific management plans are required in the direction.
- The SER should demonstrate that any proposed measures to manage potential significant impacts are accepted as best practice within that industry, and that any proposed offsets are consistent with the Northern Territory Offsets Policy.⁹

7. Predicted outcome / conclusion

- The SER should describe the predicted outcome against the factor's environmental objective, and state whether there is likely to be any significant residual environmental impacts. Where it is considered likely that there would be significant residual impacts, describe if and how these residual impacts would be offset and how any proposed offset would compensate for the impact.

⁹ DENR 2020, Northern Territory Offset Policy. Available at: [Link](#)

Other environmental factors

The SER must discuss any other environmental matters or factors where these have been identified in the direction or during stakeholder engagement or have emerged during the assessment process.

Whole of environment considerations

The SER must provide a holistic assessment of the impacts of the proposal on the whole of the environment (where relevant), including a description of the connections and interactions between the environmental factors and succinctly discuss predicted outcomes in relation to the environmental principles and the NT EPA's environmental objectives.

General requirements

The SER should:

- be written in plain English
- enable stakeholders and the NT EPA to understand the environmental consequences of the proposal
- provide objective, clear and succinct information that's easy to understand for the general reader
- provide key information about the proposal (including characterisation of the receiving environment, predicted impacts, summary of proposed management measures, residual impacts and conclusions)
- include an appropriate level of detail to demonstrate a robust and scientifically sound assessment of the potentially significant environmental impacts of the proposal
- use consistent and accepted terminology and units of measurement throughout.
- include a cover page with the proposal title, date, author and the NT EPA Assessment Number
- include a document control table at the front of the SER with version, date and authorisation (name and signature)
- provide evidence of authority to act on behalf of the CEO or organisation if someone other than the CEO (including a consultant) submits the SER

References and data

All sources must be appropriately referenced, preferably using the Harvard Standard. A reference list should include the address of any internet pages used as data sources. Referenced supporting documentation and data, or documents cited in the referral, must be available upon request.

Spatial data included in the referral should be provided in GIS format, geo-referenced and conform to the following parameters:

- Data type: closed polygons that represent the proposed boundary and the activity areas for all physical elements of the proposal (footprint)
- Attribution: Name the development footprint and each activity area in the attribute table of the spatial data
- Format: ESRI geodatabase or shapefile
- Coordinate System: GDA94 (datum) and projected into the appropriate Map Grid of Australia (MGA) zone.

The SER and attachments must be submitted both electronically (in a searchable format) and in hard copy to be displayed at specified locations. Maps and figures must be clear, legible, of appropriate scale and of good resolution (>300ppi) to enable interpretation of the content. A scale bar, north arrow and legend or caption to describe symbols used should be included for all maps.

Any raw data collected or generated to support development of the SER should be provided in csv or excel file formats. Data columns should be clearly titled for variables with relevant units.

Any disclaimers included in the SER must not prevent the NT EPA from using the SER for its assessment in accordance with legislated requirements. For example, there should be no limitation on providing copies to government authorities, members of the public, or reproducing information to prepare any NT EPA reports on the proposal.

Where a proponent considers material in the SER to be of a confidential nature (e.g. commercial in confidence or culturally sensitive) and seeks to withhold that material from the public, the proponent should consult with the NT EPA in accordance with section 281 of the EP Act before publishing the SER.

Submitting an SER

The proponent must submit the SER within the period specified by the NT EPA and publish the SER in the manner determined by the NT EPA. The SER may be submitted to the NT EPA:

- in person: Level 1, Arnhemica House, 16 Parap Road, Parap
- by email: eia.ntepa@nt.gov.au
- by electronic file upload: contact staff of the Environment Division, DENR, for more information
- by post: NT Environment Protection Authority, GPO Box 3675 Darwin NT 0801.

Electronic copies (pdf format) should be provided both as a single file of the entire document and separate files of the document. Regarding confidential information, an electronic copy for publication on the NT EPA website, and hardcopies for public exhibition, should be submitted with that information already redacted.

Further information

If you require assistance in applying this guideline to your proposed action, please contact the NT EPA.

Email: ntepa@nt.gov.au

Tel: 08 8924 4218

Appendix A – Example format for key components table

This is an example of a key components table for a mining proposal. This example template should be amended as necessary to include an adequate level of detail on key components.

Component	Location (in document)	Proposed extent
Physical elements		
Clearing	e.g. Figure 2	e.g. Clearing of no more than XX ha of vegetation
Main site - List components of main site below	e.g. Figure 3	Total extent of site XX ha
Accommodation camp	e.g. Figure 4	XX ha
Offices	e.g. Figure 4	XX ha
Workshop	e.g. Figure 4	XX ha
Pit 1	e.g. Figure 4	XX ha
Pit 2	e.g. Figure 4	XX ha
Processing area	e.g. Figure 4	XX ha
Roads	e.g. Figure 4	XX ha
Run of mine pad	e.g. Figure 4	XX ha
Tailings storage facility	e.g. Figure 4	XX ha
Waste dump 1	e.g. Figure 4	XX ha
Waste dump 2	e.g. Figure 4	XX ha
Operational elements		
Ore processing	e.g. Figure 5	XX tonnes per day
Waste rock volumes	e.g. Figure 5	XX tonnes per day
Tailings volumes	e.g. Figure 5	XX KL or ML per day
Dewatering volumes	e.g. Figure 5	KL or ML per hour or day
Water use	e.g. Figure 5	KL or ML per hour or day
Water discharge	e.g. Figure 5	KL or ML per hour or day
Dam 1 capacity	e.g. Figure 5	XX KL or ML per hour or day
Dam 2 capacity	e.g. Figure 5	XX KL or ML per hour or day
Waste generation (other than mine waste)	e.g. Figure 5	XX tonnes per day
Workforce	e.g. Figure 5	XX Number of personnel
Operating hours	e.g. Figure 5	XX Hours per day
Shutdown periods	e.g. Figure 5	XX days per year
Vehicle movements	e.g. Figure 5	XX movements per hour or day